

REMARKS

Applicant respectfully requests reconsideration and allowance of claims 1-6 that are pending in the above-identified patent application.

At page 2 of the Office Action, the Examiner rejected claims 1, 2, 4 and 5 under 35 U.S.C. § 102(b) as being anticipated by Young et al., U.S. Patent No. 5,532,754 ("the Young reference"). Applicant respectfully traverses the Examiner's rejection.

Independent claim 1 requires, in part, "production means for producing a retrieval table consisting of a plurality of time slots each having a predetermined length of time, and for allocating each program to at least one of the plurality of time slots based on the broadcast time of the program." Similarly, independent claim 4 requires, in part, "allocating each program to at least one of the plurality of time slots based on the broadcast time of the program."

In contrast, the Young reference discloses a background television schedule system having an array 24 of irregular cells 26, which vary in length, corresponding to different television program lengths of one-half hour to one and one-half hours or more. (See Abstract and Figs. 1-3 and 5-6.) That is, the Young reference discloses producing an array of irregular cells, i.e., cells varying in length, which are dependent directly upon the length of the program. The Young reference fails to disclose a receiver or a method for retrieving broadcast signals where the retrieval table is produced with time slots having predetermined lengths of time and then allocating programs of varying lengths into the time slots where the allocation of the programs is determined by, or based on, the broadcast time of the programs but the time slots are not derived from or dependent upon the program times.

Simply put, an important aspect of the present invention is the ability to produce a retrievable table where selected programs are relatively quickly retrieved. This is accomplished in part by establishing time slots having predetermined lengths and independent of the program broadcast times. Then, once the time slots have been established, the programs are allocated into one or more of the time slots as a function of the broadcast time of the program.

In this regard, Applicant respectfully refers they Examiner to Figs. 16-19 and pages 21-25 for further explanation. To summarize the salient aspects of the invention, as shown in the Figures and discussed in the referenced pages of the specification, the Applicant has discovered a way to retrieve selected program comparatively quicker by allocating programs into predetermined time slots without regard to the specific minutes and seconds of the broadcast time, but rather only the hour which is used as the reference for retrieval. (See p. 25, ¶¶ 110 and 111.)

Specifically, in one embodiment, the process by which the EPG manager produces the retrieval table is shown in the flowchart of Fig. 16 and explained in detail in the specification at page 21, line 7 through page 23, line 2. The EPG manager receives the broadcast start and end times of a predetermined EPG object (program). The EPG manager uses this information to set relative start and stop times for the program and generates clone EPG objects. That is, the EPG manager divides the length of each program into segments (clone objects) and allots each segment to a time increment of, for example, one hour based on the relative start and end times of the segment. As a result, each program may have one or more clone EPG objects, with each clone EPG object being allocated to a time slot having a predetermined length of time.

Based on the foregoing, Applicant submits that independent claims 1 and 4 are patentable over the Young reference and that the Examiner's § 102(b) rejection should be withdrawn. Further, dependent claims 2 and 5 depend from independent claims 1 and 4, respectively, and contain all of the limitations thereof as well as other limitations. Accordingly, Applicant submits that these dependent claims are likewise patentable.

At page 3 of the Office Action, the Examiner rejected claims 1, 3, 4 and 6 under 35 U.S.C. § 102(b) as being anticipated by Monta et al., U.S. Patent No. 5,517,254 ("the Monta reference".) Applicant respectfully traverses the Examiner's rejection.

The Monta reference discloses a program table displaying apparatus wherein the television program table is derived from a plurality of teletext broadcasts. (See Abstract.) Similar to the Young reference, as discussed above, the Monta reference discloses a means for creating a television program table through the review of television program table information from the teletext broadcast themselves. (See col. 2.) That is, the Monta reference discloses a program table that is derived from the current program being viewed by the user. In contrast, the presently claimed invention discloses, in part, "production means for producing a retrievable table consisting of a plurality of time slots each having a predetermined length of time" Then, already existing programs having program lengths are allocated to "at least one of the plurality of time slots based on the broadcast time of the program." That is, in the present invention, the plurality of time slots have already been generated and the allocation of the programs that go into the time slots is determined by reviewing the broadcast times of each program.

In short, the Monta reference discloses the creation of a television program table from the teletext broadcasts themselves. Thus, the Monta reference discloses deriving a program table by reviewing teletext broadcast information and program times. The Monta reference does not disclose or suggest the creation of a plurality of time slots having predetermined lengths of time and then allocating each program to at least one of the plurality of time slots.

Based on the foregoing, Applicant submits that independent claims 1 and 4 are patentable over the Monta reference and that the Examiner's § 102(b) rejection should be withdrawn. Further, dependent claims 3 and 6 depend from independent claims 1 and 4, respectively, and contain all of the limitations thereof as well as other independently patentable limitations. Accordingly, Applicant submits that these dependent claims are likewise patentable.

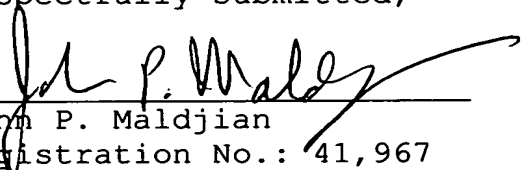
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, Applicant respectfully requests that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 19, 2003

Respectfully submitted,

By


John P. Maldjian

Registration No.: 41,967

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorneys for Applicant

420767_1.DOC